

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
Civil Action No. 5:22-cv-276-D

)	
NORTH CAROLINA GREEN PARTY, et al.,)	
)	
Plaintiffs,)	
v.)	[PROPOSED]
)	
NORTH CAROLINA STATE BOARD OF)	ORDER
ELECTIONS, et al.,)	
)	
Defendants.)	

THIS MATTER coming on before the Court following the filing of defendants' Notice of Agency Action [D.E. 54, 54-1], and the Court finding that the North Carolina State Board of Elections' ("State Board") unanimous decision certifying the North Carolina Green Party ("NCGP") as a new political party appears to moot plaintiffs' requests for a declaratory judgment and an injunction ordering the State Board to certify NCGP as a new political party (D.E. 55, p. 2), leaving only whether the Court should enjoin the State Board from enforcing the July 1 filing deadline under N.C.G.S. § 163-98 as applied to Plaintiffs. [D.E. 55, pp. 2-3].

The Court having considered the Joint Status Report and the proposed orders submitted by the parties in response to the Court's August 1, 2022 Order [D.E. 61, 62, 63], the Court hereby **ORDERS** that:

1. The Court has considered the arguments asserted by Defendants regarding jurisdiction and concludes that it has jurisdiction over this matter;

2. Defendants are hereby **ENJOINED** from enforcing the July 1 filing deadline in N.C. GEN. STAT. § 163-98 as applied to the NCGP and its candidates, particularly Matthew Hoh (nominee for U.S. Senate) and Michael Trudeau (nominee for N.C. Senate);

3. NCGP candidates certified by the NCGP at its June 30, 2022 convention must submit notice of candidacy, filing fee, and application to change party affiliation to NCSBE, or the appropriate county board of elections, no later than August 12, 2022;

4. As no further requested relief remains, this matter is moot as indicated in the Court's August 1, Order [D.E. 55, p. 2], and is hereby dismissed with prejudice with all parties to bear their own costs; and

5. This Court retains jurisdiction to enforce the terms of this Order through the November 8, 2022 general election.

SO ORDERED.

Dated: August __, 2022

James C. Dever III
United States District Judge